

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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ROBERT A. YOUNG,

Plaintiff,

Case No. 3:12-CV-0466-MMD (VPC)

## **REPORT AND RECOMMENDATION OF U.S. MAGISTRATE JUDGE**

v

LOU GAGE, et al.,

## Defendants.

13        This report and recommendation is made to the Honorable Miranda M. Du, United States  
14      District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28  
15      U.S.C. § 636(b)(1)(B) and the Local Rules of Practice, LR IB 1-4.

16 Plaintiff filed a civil rights complaint pursuant to 42 U.S.C. § 1983 (#1). However,  
17 plaintiff failed to submit a request to proceed *in forma pauperis* or pay the filing fee.

18 On May 14, 2014, the court ordered plaintiff to either submit an application to proceed *in*  
19 *forma pauperis* or pay the full filing fee on or before June 6, 2014 (#5). Plaintiff was cautioned  
20 that failure to do so would result in a recommendation to the District Court to dismiss this action.  
21 *Id.* Plaintiff failed to respond to this court's order.

22       Based upon the foregoing, the undersigned magistrate judge recommends that this action  
23       be dismissed without prejudice.

24 The parties should be aware of the following:

25        1.        They may file, pursuant to 28 U.S.C. § 636(b)(1)(C) and Rule IB 3-2 of the Local  
26        Rules of Practice, specific written objections to this Report and Recommendation within fourteen  
27        (14) days of receipt. These objections should be titled “Objections to Magistrate Judge’s Report  
28        and Recommendation” and should be accompanied by points and authorities for consideration by

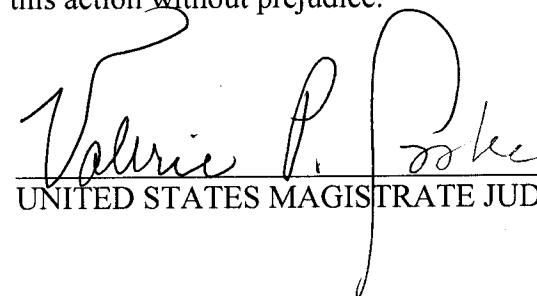
1 the District Court.

2 2. This Report and Recommendation is not an appealable order, and any notice of  
3 appeal pursuant to Rule 4(a)(1), Fed. R. App. P., should not be filed until entry of the District  
4 Court's judgment.

5 **RECOMMENDATION**

6 For the reason stated above, the undersigned Magistrate Judge recommends that the  
7 District Court enter an order **DISMISSING** this action without prejudice.

8 DATED: June 17, 2014.

9   
10 UNITED STATES MAGISTRATE JUDGE

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